

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 9, 2002

DIVISION ONE

B150794 Holly Ann Nemarnik (Not for Publication)
 v.
 Los Angeles Kings Hockey Club, L.P. et al.

We affirm the judgment. Defendants are awarded costs on appeal.

Ortega, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

B159932 Susana C. (Not for Publication)
 v.
 Superior Court, Los Angeles County
 (In re Monica C., a minor, r.p.i.)

The petition is denied.

Ortega, J.

We concur: Spencer, P.J.
 Mallano, J.

B158297 People (Not for Publication)
 v.
 Markwell ALbert Ysaguirre

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Ortega, J.

October 9, 2002 (Continued)

DIVISION ONE (Continued)

B156565 Khatibi
 v.
 P.H. Land Development et al.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed February 8, 2002) dismissed.

DIVISION FIVE

B156670 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Angie Q.
 In re Cypress Q.

The January 31, 2002, order terminating the guardianship is reversed. The cause is remanded for further proceedings after proper notice has been given to all the parties. The remittitur is to issue forthwith.

Turner, P.J.

We concur: Grignon, J.
 Armstrong, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

B157551 Human Services Agency
 v.
 Carol D. and Alex D.

Merits:
Argued by Patricia McCourt, Assistant County Counsel, for respondent.
Argument previously waived by appellants. Cause submitted.

DIVISION SIX (Continued)

B150904 Melendez
 v.
 Olson

Merits:
Argued by Lawrence M. Schulner for appellants and by Ronald Clark Colton for respondent. Cause submitted.

B159871 Marriage
 of
 Catlin

Merits:
Argued by Russell J. Nadel for appellant and argument previously waived by respondent. Cause submitted.

B152813 Marriage
 of
 Barbosa

Merits:
Argued by Denise A. Brogna for appellant and by Matthew P. Guasco for respondent. Cause submitted.

B154493 City of Orange
 v.
 San Diego Co. Employees Retirement Assoc.

Merits:
Argued by Judith A. McDonough, Senior Deputy County Counsel, for appellant and by Don Howarth for respondents. Cause submitted.

Gilbert, P.J. left the bench.

B152038 Torrez
 v.
 Ventura Co.

Merits:
Argued by Douglas C. Fladseth for appellant and by Maureen E. Clark for respondent. Cause submitted.

October 9, 2002 (Continued)

DIVISION SIX (Continued)

Gilbert, P.J. resumed the bench.

Yegan, J. left the bench.

B149854 Mitchell
 v.
 Republic Western Ins. Co.

Merits:

Argued by Eugene Anderson for appellants / cross-respondents and by
Barbara J. Mandell for respondent / cross-appellant. Cause submitted.

Court recessed at 11:50 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

Each of the following:

B147683 People v. Salgado
B148095 People v. Favorita
B152030 People v. Grandberry
B152481 People v. Johnson, et al.
B153039 People v. Stewart
B153145 People v. Jackson
B153455 People v. Brown
B153593 People v. Delira
B153713 People v. Fernandez
B154498 People v. Morales
B154856 People v. Ruz
B155550 People v. Althof
B155675 People v. Hamilton
B155841 People v. Caldwell
B155941 People v. Olivares
B156085 People v. Grant
B156221 People v. Smeltzer
B156602 People v. Tupper

Argument waived, cause submitted.

DIVISION SIX (Continued)

Each of the following:

B151665 People v. Alba
B157993 People v. Salcido

Argument continued to November, 2002.

B155712 People
 v.
 Hayes

Merits:

Argued by Paul Takakjian for appellant via video conference and argument previously waived by respondent. Cause submitted.

B149916 People
 v.
 Reeder

Merits:

Argued by Lyn A. Woodward for appellant and by Robert David Breton, Deputy Attorney General, for respondent via video conference. Cause submitted.

B151110 People
 v.
 Flores

Merits:

Argued by Lyn A. Woodward for appellant and by Ryan M. Smith, Deputy Attorney General, for respondent via video conference. Cause submitted.

B155188 People
 v.
 Valdez & Gasporra

Merits:

Argued by Phyllis C. Asayama, Deputy District Attorney, for appellant, by Eileen S. Kotler for respondent Gasporra and by Felicia Kahn Grant, Deputy Public Defender, for respondent Valdez. Cause submitted.

DIVISION SIX (Continued)

B155436 People
 v.
 Bedford

Merits:
Argued by Leonard J. Klaif for appellant and by Noah P. Hill, Deputy Attorney General, for respondent via video conference. Cause submitted.

B156460 People
 v.
 Clayton

Merits:
Argued by Edward J. Haggerty for appellant and by David E. Madeo, Deputy Attorney General, for respondent via video conference. Cause submitted.

B154402 People
 v.
 Unick

Merits:
Argued by John Joseph McNamara for appellant and by Thomas C. Hsieh, Deputy Attorney General, for respondent via video conference. Cause submitted.

B160255 Sanchez
 v.
 Ventura County Superior Court
 (The People, r.p.i.)

OSC:
Presented by Neill B. Quinn, Deputy Public Defender, for petitioner and by Lela Henke-Dobroth, Deputy District Attorney, for real party in interest. Cause submitted.

Gilbert, P.J. left the bench.

DIVISION SIX (Continued)

B154156 In re: Efren Cruz on Habeas Corpus

Merits:

Argued d by Gerald McC. Franklin, Deputy District Attorney, for appellant
and by Kevin Denoce for respondent. Cause submitted.

Court adjourned at 4:20 P.M.

DIVISION SEVEN

B156551 Los Angeles County, D.C.S. (Not for Publication)
v.
Roberta B.

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
Woods, J.

B149409 Hallstrom (Not for Publication)
v.
Barker, et al.

The portion of the trial court's order denying the motion to strike with respect to the malicious prosecution cause of action is reversed. The portion of the order denying the motion to strike with respect to the causes of action for conspiracy to defraud, fraud and deceit and intentional infliction of emotional distress is affirmed (to the extent the allegations in the intentional infliction of emotional distress cause of action are not based on conduct described in the malicious prosecution cause of action). The order denying the petition to compel the arbitration is reversed with respect to the remaining causes of action (conspiracy to defraud, fraud and deceit and intentional infliction of emotional distress), and the cause is remanded to the trial court for further proceedings in connection with the petition, including a determination of which defendants have standing to compel arbitration and whether the arbitration provision is enforceable. Appellants are to recover their costs on appeal.

Johnson, J.

We concur: Lillie, P.J.
Perluss, J.

DIVISION SEVEN (Continued)

B155702 Antoci (Not for Publication)
v.
Antoci, et al.

The judgment is affirmed. Each party to bear their own costs.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B152997 Wozniak
v.
Lucutz

Filed order certifying opinion for publication.

DIVISION EIGHT

B153503 Burton (Not for Publication)
v.
Ogas-Burton

The order dismissing appellant Cal Burton's complaint is affirmed. Respondent Ogas-Burton to recover her costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

B153599 People (Certified for Publication)
v.
El

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.